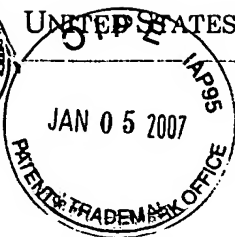




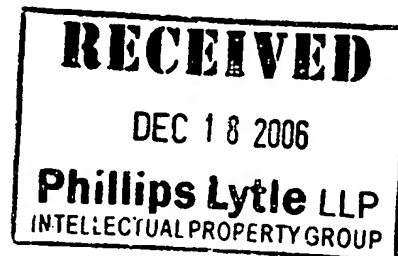
UNITED STATES PATENT AND TRADEMARK OFFICE



14 DEC 2006

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

PHILLIPS LYTTLE LLP
Intellectual Property Group
3400 HSBC Center
Buffalo, NY 14203-3509



In re Application of:
MURRENHOFF, Hubertus, et al.
U.S. Application No.: 10/527,204
PCT No.: PCT/EP2003/008550
International Filing Date: 01 August 2003
Priority Date: 11 September 2002
Atty Docket No.: Moog Gmbh - Murrenhoff
For: VALVE WITH INCREASED
DYNAMIC RESPONSE

DECISION ON RENEWED
PETITION TO WITHDRAW
HOLDING OF ABANDONMENT
(37 CFR 1.181)

In a decision mailed by this Office on 28 November 2006, applicants' petition to withdraw the holding of abandonment herein was dismissed without prejudice for failure to satisfy the requirements of a grantable petition. Specifically, applicants had not provided the statements and docket records required for a grantable petition to confirm that applicants did not receive the Notification Of Missing Requirements (Form PCT/DO/EO/905) mailed 16 August 2005.

On 04 December 2006, applicants filed the renewed petition considered herein. The renewed petition includes the required statements from the practitioner that the Notification Of Missing Requirements was not received and that a search of the file jacket and the docket records indicates that the Notification Of Missing Requirements was not received. The submission also includes the required docket records. Applicants have now satisfied all the requirements for a grantable petition to withdraw the holding of abandonment based on applicants' failure to receive the Notification Of Missing Requirements (Form PCT/DO/EO/905) mailed 16 August 2005.

The renewed petition for withdrawal of the holding of abandonment is **GRANTED**.

The Notification Of Abandonment (Form PCT/DO/909) mailed 08 August 2006, based as it was on applicants' failure to respond to the Notification Of Missing Requirements that applicants did not receive, is appropriately **VACATED**.

It is noted that the previous decision stated that applicants' 16 October 2006 submission included the executed declaration and surcharge payment required by the Notification Of Missing Requirements. However, on further review, it has been determined that the 16 October 2006 submission did not include payment of the required \$130 surcharge. Accordingly, payment of this surcharge is still required.

The application is being referred to the National Stage Processing Branch of the Office Of PCT Operations for further processing in accordance with this decision, including the mailing of a new Notification Of Missing Requirements (Form PCT/DO/EO/905) requiring submission of the \$130 surcharge for failure to submit the declaration within thirty months of the priority date.



Richard M. Ross
Attorney Advisor
Office of PCT Legal Administration
Telephone: (571) 272-3296
Facsimile: (571) 273-0459